

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID A. TERRY,

Defendant.

8:19–CR–387

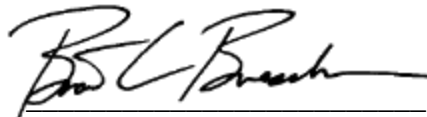
**ORDER GRANTING MOTION TO
WITHDRAW**

This matter is before the Court on a Motion to Withdraw filed by the Federal Public Defender for the District of Nebraska, Mr. David R. Stickman. [Filing 46](#). The Office of the Federal Public Defender was appointed to represent David A. Terry in this case pursuant to General Order No. 2023-09 in order to determine whether he qualified “for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendments of U.S.S.G. § 1B1.13 or U.S.S.G. § 1B1.10 providing for the retroactive application of Amendment 821[.]” [Filing 45 at 1](#). Neither Terry nor the Office of the Federal Public Defender have filed any motions for relief based upon the aforementioned guideline amendments. Mr. Stickman advises the Court that after reviewing the relevant documents in Terry’s case, his Office has determined that Terry is not entitled to any sentencing relief because Terry “received a mandatory minimum sentence and Amendment 821 does not allow for a sentence below the mandatory minimum.” [Filing 46 at 1](#). The Court agrees. Accordingly,

IT IS ORDERED: David R. Stickman’s Motion to Withdraw, [Filing 46](#), is granted.

Dated this 22nd day of February, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Brian C. Buescher', written over a horizontal line.

Brian C. Buescher
United States District Judge